

MAY 10 2007

PTO/SB/17p (04-07)

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PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

| | |
|------------------------|----------------------|
| Application Number | 10/009,294 |
| Filing Date | June 6, 2002 |
| First Named Inventor | Keith Patrick Heaton |
| Art Unit | 3772 |
| Examiner Name | Kim M. Lewis |
| Attorney Docket Number | VAC.704.US |

Enclosed is a petition filed under 37 CFR 1.313(a) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(f), see form PTO/SB/17L.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 500326:
☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments
 Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1482

For petitions filed under:

- § 1.35(a) - for revocation of a power of attorney by fewer than all applicants
- § 1.53(e) - to accord a filing date.
- § 1.67(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

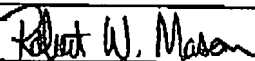
For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.58 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.298 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.16 - for changing the scope of a license.
- § 5.26 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1484

For petitions filed under:

- § 1.19(a) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.


Signature
Robert W. Mason

Typed or printed name

May 10, 2007

Date

42,848

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAY 10 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/009,294 Confirmation No.: 5734
Applicants : Keith Patrick Heaton et al.
Filed : June 6, 2002
TC/A.U. : 3772
Examiner : Kim M. Lewis
Docket No. : VAC.704.US
Customer No.: 30159

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Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Petition for Withdrawal from Issue under MPEP § 1.313(a)

SIR:

Applicants request that the above-mentioned application will be withdrawn from issue.

For good and sufficient reason in compliance with Applicant's ongoing duty to disclose all known prior art, Applicants submit herewith a Request for Continued Examination (RCE) under MPEP § 1.313(c)(2) and submit a Supplemental Information Disclosure Statement.

Application No.: 10/009,294
Petition to Withdrawal from Issue, dated May 10, 2007

The Commissioner is authorized to charge the petition fee as set forth in § 1.17(h) in the amount of \$130.00 and the RCE fee as set forth in § 1.17(e) in the amount of \$790.00 to Deposit Account Number 500326. The Commissioner is also authorized to charge any additional fees that may be required, or credit any overpayment made with this Office Action, to Deposit Account Number 500326.

Respectfully submitted,



For Applicants

Robert W. Mason, Reg. No.: 42,848
Sr. Intellectual Property Counsel

Kinetic Concepts, Inc.
Legal Department – Intellectual Property
P.O. Box 659508
San Antonio, Texas 78265-9508
Phone: 210.255.6271
Facsimile: 210.255.6969
e-mail: robert.mason@kci1.com